

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	17 CR 16-DLH
v.)	
)	UNOPPOSED
RED FAWN FALLIS,)	MOTION FOR MODIFICATION
Defendant.)	OF FURLOUGH ORDER

The Defendant, RED FAWN FALLIS, by and through her below-signed Counsel, hereby moves this Court to modify its furlough order (Dkt. 127) so as to permit Ms. Fallis to travel to Bismarck, North Dakota two hours earlier—at 6:00 a.m.—on December 7, 2017 with her counsel for her upcoming suppression hearing and to return via bus in the early morning of December 9, 2017.

1. Counsel previously petitioned the Court to approve a furlough for Ms. Fallis from December 4, 2017 until December 9, 2017, so as to enable her to prepare with Counsel for the upcoming hearing and to attend the hearing itself. Dkt. 123. Counsel sought to have Ms. Fallis travel with two of her counsel on December 4, 2017, remain in Bismarck under their supervision, and return to Fargo on December 9, 2017. The Court granted the request for furlough, but limited the proposed time frame for the furlough. Dkt. 123.

2. Attorneys Armour and Cook traveled to Fargo to meet with Ms. Fallis and, due to the inclement weather and road conditions, remain in Fargo at this time. They now plan to return to Bismarck on Thursday, December 7, 2017.

4. Ms. Fallis' counsel are requesting that the Court allow them to leave Fargo with Ms. Fallis by 6:00 a.m. on Thursday, December 7, 2017 to travel directly to Bismarck and keep Ms. Fallis in their custody until her court appearance on December 8, 2017. Counsel need to leave Fargo early in order to have ample time in Bismarck to meet with a witness and prepare for the scheduled hearing.

5. Ms. Fallis' counsel are further requesting that the Court allow them to put Ms. Fallis on a inter-city Jefferson Lines bus to Fargo at 3:10 a.m. on the morning of December 9, 2017. Ms. Fallis would travel directly to Fargo and would be met at the bus stop in Fargo by representatives of Centre, Inc. Centre, has agreed to meet Ms. Fallis at the bus stop at 6:20 a.m. Because of counsels' own return travel schedules they cannot physically return her to the facility.

6. Heather Achtenberg-Heck, Probation and Pre-Trial Service Officer, has approved Ms. Fallis' travel on December 7 and return on December 9, 2017 and has no objection to her traveling by bus.

7. The government, by AUSA David Hagler, likewise has no objection to this request.

8. Therefore, it is proposed that Ms. Fallis be permitted to travel from Centre, Inc. on December 7, 2017 at 6:00 a.m. to Bismarck in the custody of her Counsel and to return December 9, 2017 by Jefferson Lines bus service.

Dated: December 5, 2017 Respectfully submitted,

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